

**SUBDIVISION REVIEW SHEET****CASE NO.:** C8-2016-0148.0A**Z.A.P. DATE:** March 21, 2017**SUBDIVISION NAME:** Highland Village Section 2, Resubdivision of Lots 1 and 2, Block I**AREA:** .483**LOT(S):** 3**OWNER/APPLICANT:** Najib Wehbe**AGENT:** Hector Avila**ADDRESS OF SUBDIVISION:** 5019 and 5021 West Frances Place**GRIDS:** MH27**COUNTY:** Travis**WATERSHED:** Shoal Creek**JURISDICTION:** Full Purpose**EXISTING ZONING:** SF-2**DISTRICT:** 10**PROPOSED LAND USE:** single-family**ADMINISTRATIVE WAIVERS:** None**VARIANCES:** None

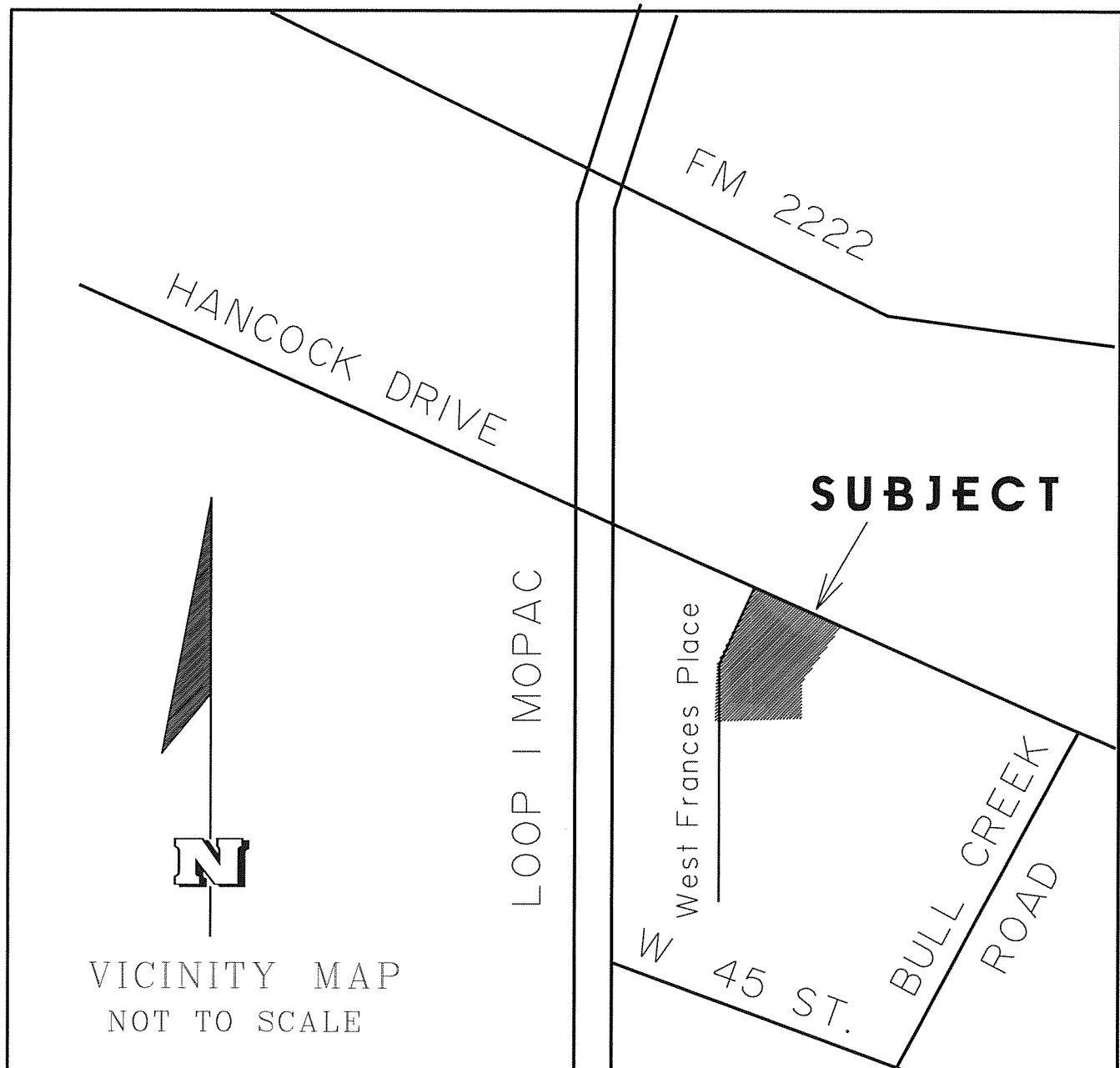
**SIDEWALKS:** Sidewalks will be provided on both sides of all internal streets and the subdivision side of boundary streets.

**DEPARTMENT COMMENTS:** The request is for approval of the Highland Village Section 2 Phase 1, resubdivision of Lots 1 and 2, Block I. The proposed plat is composed of 3 lots on .483 acres. The applicant proposes to resubdivide two existing legal lots into 3 lots for single-family residential use. Two lots are proposed to continue to take access to West Frances Place and the newly resubdivided lot will take access to Hancock Drive. All utilities are available from the City of Austin. The developer will be responsible for all costs associated with any required improvements.

Staff notes that there is significant opposition from the adjacent neighborhoods, however, the plat has been reviewed and found to meet all City of Austin requirements.

**STAFF RECOMMENDATION:** The staff recommends approval of the plat. This plat meets all applicable State and City of Austin LDC requirements.

**ZONING AND PLATTING ACTION:****CITY STAFF:** Don Perryman**PHONE:** 512-974-2786**e-mail:** [don.perryman@austintexas.gov](mailto:don.perryman@austintexas.gov)



# RESUBDIVISION OF LOT 1 AND LOT 2 BLOCK 1 HIGHLAND VILLAGE SECTION TWO PART ONE

Item C-06

3 of 21

PLAT PREPARATION DATE: June 20, 2016  
APPLICATION SUBMITTAL DATE:

SCALE: 1" = 30'

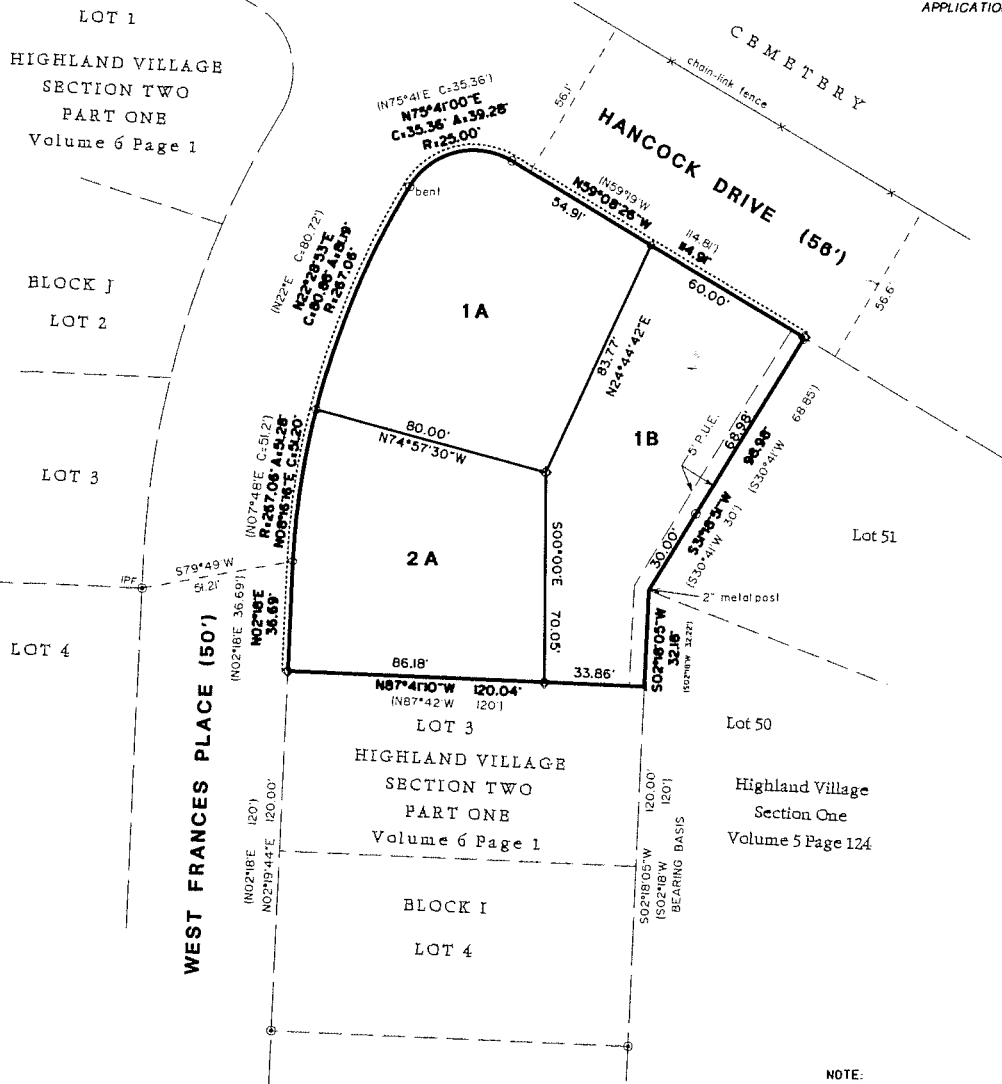
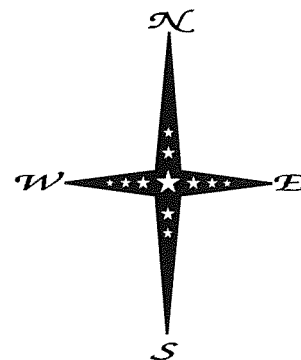


## Legend

- ⊗ Iron Rod Found
- IPF Iron Pipe Found
- ⬢ Iron Rod Set with plastic cap imprinted with "Holt Carson, Inc."
- ⬢ PK Nail Set
- ⊗ Incised X Set in Concrete
- Sidewalk
- (Record Bearing and Distance)
- ETE = Electric and Telecommunications Easement

## LOT SUMMARY

Number of Lots = 3  
LOT 1A = 7,678 Square Feet  
LOT 1B = 6,768 Square Feet  
LOT 2A = 6,620 Square Feet  
TOTAL AREA = 21,066 Square Feet



NOTE:  
THE WATER AND/OR WASTEWATER EASEMENTS INDICATED ON THIS PLAT ARE FOR THE PURPOSE OF CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, UPGRADE, DECOMMISSIONING AND REMOVAL OF WATER AND/OR WASTEWATER FACILITIES AND APPURTENANCES. NO OBJECTS, INCLUDING BUT NOT LIMITED TO, BUILDINGS, FENCES, RETAINING WALLS, TREES OR OTHER STRUCTURES ARE PERMITTED IN WATER AND/OR WASTEWATER EASEMENTS EXCEPT AS APPROVED BY THE CITY OF AUSTIN.

THE STATE OF TEXAS  
THE COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS

That I, Najib Wehbe, owner of all of Lot 1 and Lot 2, Block 1, Highland Village Section Two Part One, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 6 Page 1 of the Plat Records of Travis County, Texas, as conveyed to me by General Warranty Deeds recorded in Document No. 2014129799 and Document No. \_\_\_\_\_ of the Official Public Records of Travis County, Texas, said subdivision having been approved for resubdivision pursuant to the public notification and hearing provision of Chapter 212.014 of the Local Government Code, do hereby resubdivide said lots in accordance with the attached map or plat shown hereon to be known as

## RESUBDIVISION OF LOT 1 AND LOT 2 BLOCK 1 HIGHLAND VILLAGE SECTION TWO PART ONE

and do hereby dedicate to the Public the use of all streets and easements shown hereon, subject to any easements and/or restrictions heretofore granted, and not released.

WITNESS MY HAND this the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20 \_\_\_\_\_

Najib Wehbe  
5902 Mountain Villa Drive  
Austin, Texas 78731

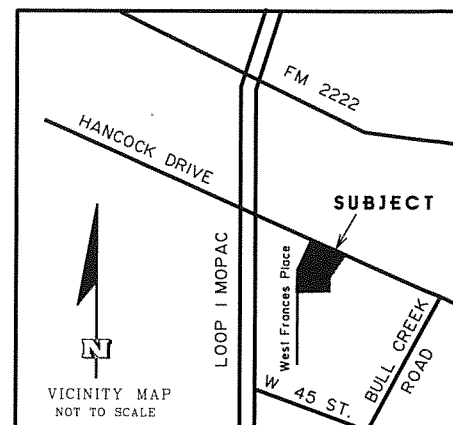
THE STATE OF TEXAS  
THE COUNTY OF TRAVIS

I, the undersigned authority, on this the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2016, did personally appear Najib Wehbe, known to me to be the person whose name is subscribed to the foregoing instrument of writing, and he acknowledged before me that he executed the same for the purposes and considerations therein expressed.

NOTARY PUBLIC \_\_\_\_\_

Printed Name \_\_\_\_\_

Commission Expires \_\_\_\_\_





**The Allandale Neighborhood Association**  
**P.O. Box 10886 • Austin, TX 78766**

**Don Perryman**  
City of Austin Senior Planner  
City of Austin Development Services Department  
One Texas Center, 4th Floor  
505 Barton Springs Rd.

Re: 5021 West Frances Place, Case Number: C8-2016-0148.0A

Dear Mr. Perryman:

As an Executive Committee Member and the Zoning Committee Chairperson for the Allandale Neighborhood Association (ANA), I am responding to the notice received from the City of Austin Planning and Development Review Department that the Zoning and Platting Commission will hold a public hearing on the proposed subdivision at 5021 West Frances Place, case number C8-2016-0148.0A, on March 7, 2017.

First of all, thank you for prompt responses to my questions and providing requested documents related to this re-subdivision case. After reviewing the original deeds for the property provided by the owner, I did determine that the re-subdivision violates the restriction for the lots which states, "No lot with a frontage at the building set back line shall be less than 60 feet ...." The maximum width of the new lot is 60 feet along Hancock Dr. and then tapers to approximately to 34 feet. Therefore, any improvements added that face Hancock cannot comply with this deed restrictions. As you explained to me in previous discussions, the City will not deny approval based on lack of compliance with deed restrictions. However, ANA will request that the owner follow the appropriate legal process for amending the deed allowing this re-subdivision and future development on this new lot.

Secondly, the City's Transportation Department initially prohibited the owner from constructing a driveway from Hancock Dr. associated with this re-subdivision because the Transportation Criteria Manual does not allow access to single family residences from minor arterials and according to City Transportation Staff, "The future right-of-way improvements will affect the operations of North Loop and the residential frontage creates concerns for future vehicular maneuverability along the arterial." It is our understanding that City staff after initially requiring

driveway access from West Frances Place, have changed their position and are now permitting driveway access from Hancock Dr. once the owner has an approved joint use access agreement for a shared driveway. We do not agree with this arrangement as it does not comply with the Transportation Criteria Manual and the increased use of a single shared driveway will correspondingly increase safety risks to bike riders along Hancock Dr., a primary route for Highland Park Elementary students.

Furthermore, the re-subdivision of these two lots will create a property that is not compatible with the character of surrounding neighborhoods. Allowing the re-subdivision of properties when there is clearly not adequate space for a driveway and that creates the necessity for a shared use agreement with adjoining properties is not compatible with neighborhoods within Allandale.

Please contact me at (512) 567-3536, if you have any questions concerning this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd Shaw", with a long horizontal flourish extending to the right.

Todd Shaw  
Allandale Neighborhood Association  
Zoning Committee Chairperson

## Pamela Blaine Hughes

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February 11, 2017

City of Austin – Development Services Department, 4<sup>th</sup> Floor  
Don Perryman  
PO Box 1088  
Austin, Texas 78767

Case Number: C8-2016-0148.0A  
Public Hearing: Zoning and Platting, March 7, 2017

Dear Mr. Perryman,

I am writing to **object** to the proposed re-subdivision plans presented for: 5021 W. Frances Place.

In early conversations with the property owner, I considered supporting this proposal. I live across the street from this property, and would like to see improvements made to the two run-down, vacant houses that are currently there.

However as I learn more about it, and have had conversations with builders, and other members of the neighborhood association, I have changed my feelings. I do not think it is in the best interest of the neighborhood and our property values to allow owners to reconfigure their property in this way.

If the property owner had proposed development plans, and we had a concrete idea of what the new development would look, I might feel differently. However I think the re-platting proposed for the single purpose of one individual trying to get more money out of an investment property does not serve this neighborhood and community as a whole. I also have concern that approving this plan would set a precedent for other investors and developers to try to do the same in other areas.

I think the subdividing plans are very unconventional at best, and I respectfully oppose.

Thank you for your consideration of this matter.

Pamela Blaine  
5016 W. Frances Place  
Austin, Texas 78731  
512-413-9600

## PUBLIC HEARING INFORMATION

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- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
  - appearing and speaking for the record at the public hearing;
- and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
  - is the record owner of property within 500 feet of the subject property or proposed development; or
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For additional information on the City of Austin's land development process, visit our web site: <http://www.austintexas.gov/development>.

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Case Number: C8-2016-0148.0A

Contact: Don Perryman, 512-974-2786 or Elsa Garza, 512-974-2308  
Public Hearing: Zoning and Platting Commission, Mar 7, 2017

Chris Hughes

Your Name (please print)

5016 West Frances Place

Your address(es) affected by this application

*[Signature]*

Signature

2/12/17  
Date

Daytime Telephone: 512-417-3475

Comments: The application does not provide any detail about the plans for the property and the new layout seems wacky to someone since there is heavy traffic on Hance and now Bille lanes. Just this week there was a car accident where ~~the~~ a car drove across its lane and into a parked car and house

☐ I am in favor  
☒ I object

If you use this form to comment, it may be returned to:  
City of Austin - Development Services Department / 4<sup>th</sup> Fl  
Don Perryman  
P. O. Box 1088  
Austin, TX 78767-8810

Item C-06

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Case Number: C8-2016-0148.0A

Contact: Don Perryman, 512-974-2786 or Elsa Garza, 512-974-2308  
Public Hearing: Zoning and Platting Commission, Mar 7, 2017

DAVID CARRELES

Your Name (please print)

5016 West Park Drive

Your address(es) affected by this application

David Carreles

Signature

2/13/2017

Daytime Telephone: 512. 454. 5046

Comments: We oppose the proposed re-subdivision of the existing subdivision of 2 lots into 3. Allowing additional occupants in central Austin impacts the environment and traffic as well as stretching already thin city services.

If you use this form to comment, it may be returned to:

City of Austin - Development Services Department / 4<sup>th</sup> Fl  
Don Perryman  
P. O. Box 1088  
Austin, TX 78767-8810

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Case Number: C8-2016-0148.0A

Contact: Don Perryman, 512-974-2786 or Elsa Garza, 512-974-2308  
Public Hearing: Zoning and Platting Commission, Mar 7, 2017

ROBERT TILLYS  
Your Name (please print)

☐ I am in favor  
☒ I object

5014 WESTFORD DR  
Your address(es) affected by this application

*[Signature]*  
Signature

2.9.17  
Date

Daytime Telephone: 512 844 5926

Comments: THIS IS THE 2ND NOTICE  
I RECEIVED REGARDING THIS  
PROPERTY. I'M TOTALLY AGAINST  
THIS & IT HAS NO PLACE IN  
OUR COMMUNITY OTHER THAN  
TO PUT MONEY IN SELLERS AND  
BUYERS POCKETS (i.e. REVENUE BRIDGE)

If you use this form to comment, it may be returned to:  
City of Austin—Development Services Department / 4<sup>th</sup> Fl  
Don Perryman  
P. O. Box 1088  
Austin, TX 78767-8810

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Item C-06

10 of 21

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Case Number: C8-2016-0148.0A

Contact: Don Perryman, 512-974-2786 or Elsa Garza, 512-974-2308

Public Hearing: Zoning and Platting Commission, Mar 7, 2017

Your Name (please print) Landen Sims

Your address(es) affected by this application 5010 W Park Dr

☐ I am in favor  
☒ I object

Signature [Signature] Date 2-9-17

Daytime Telephone: 512-323-9148

Comments: These lots are small enough already.  
This would not benefit a well-established  
neighborhood such as ours. The owner  
doesn't seem to have a real interest in the  
neighborhood,

If you use this form to comment, it may be returned to:  
City of Austin—Development Services Department / 4<sup>th</sup> Fl  
Don Perryman  
P. O. Box 1088  
Austin, TX 78767-8810

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Case Number: C8-2016-0148.0A  
Contact: Don Perryman, 512-974-2786 or Elsa Garza, 512-974-2308  
Public Hearing: Feb 14, 2017, Planning Commission

BONNIE JEAN COLEMAN  
Your Name (please print)

5001 W. FRANCES PL.

Your address(es) affected by this application

Donna A. Lator  
Signature

2/4/17  
Date

Daytime Telephone: (512) 331-6293

Comments: I understand all  
of the increasing the  
density of this neighborhood  
of single family homes.  
Donna A. Lator

If you use this form to comment, it may be returned to:  
City of Austin – Development Services Department / 4<sup>th</sup> Fl  
Don Perryman  
P. O. Box 1088  
Austin, TX 78767-8810

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Case Number: C8-2016-0148.0A

Contact: Don Perryman, 512-974-2786 or Elsa Garza, 512-974-2308  
Public Hearing: Feb 14, 2017, Planning Commission

VANESSA MILBURN  
Your Name (please print)

5017 WEST FRANCES PL 78731  
Your address(es) affected by this application

[Signature] Jun 30, 2017  
Signature Date

Daytime Telephone: 512.973.1049

Comments: THE AMOUNT OF BUILDINGS & OCCUPANTS  
ARE NOT COMPATIBLE WITH NEIGHBORHOOD  
ALREADY TOO MANY CARS ARE A PROBLEM  
WITH CHILDREN WALKING TO SCHOOL.  
LOT DENSITY WILL BE WHOLLY DIFFERENT  
THAN COMPARABLE NEIGHBORHOOD

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> I object

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Case Number: C8-2016-0148.0A  
Contact: Don Perryman, 512-974-2786 or Elsa Garza, 512-974-2308  
Public Hearing: Feb 14, 2017, Planning Commission

Chris Davis  
Your Name (please print)

☐ I am in favor  
☒ I object

5017 W. Frances Place 78731  
Your address(es) affected by this application

[Signature] Jan 29, 2017  
Signature Date

Daytime Telephone: 512.286.5876

Comments: Not enough room on lots for appropriate off street parking while children and trying to get to school.

If you use this form to comment, it may be returned to:  
City of Austin – Development Services Department / 4<sup>th</sup> Fl  
Don Perryman  
P. O. Box 1088  
Austin, TX 78767-8810

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Case Number: C8-2016-0148.0A

Contact: Don Perryman, 512-974-2786 or Elsa Garza, 512-974-2308  
Public Hearing: Feb 14, 2017, Planning Commission

Your Name (please print)

Brian Tucker

☐ I am in favor  
☒ I object

Your address(es) affected by this application

5013 Westhelf Drive

Signature

Date

Daytime Telephone:

512 535-2683

1/22/17

Comments: I am against this b/c all lots in this

area are currently 6-acre or less similar in size and are consistent w/ single family homes

The applicant tries to set a third residence into

a lot that should only have 2, in my opinion

will change the high level size of the house far

this area. To me, it seems the only reason for this

change is profit. It does not benefit the community.

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City of Austin - Development Services Department / 4<sup>th</sup> Fl

Don Perryman

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C8-2016-0148.0A

Contact: Don Perryman, 512-974-2786 or Elsa Garza, 512-974-2308  
Public Hearing: Zoning and Platting Commission, Mar 7, 2017

Rebekah Auster  
Your Name (please print)

☐ I am in favor  
☒ I object

5013 Westfield Dr Austin TX 78731  
Your address(es) affected by this application

Rebekah Auster 2/16/17  
Signature Date

Daytime Telephone: (409) 241-3761

Comments: I don't want the dynamic  
of our neighborhood to be changed.  
No other lots in the vicinity are  
multi-home.

Is this plan just S021 or is it S014 + S021??  
Blc for the application S021 is one plot + should  
NOT have 3 homes

Also, almost, it not all other plots have I have  
per plot of land. Why does this person need  
more?

If you use this form to comment, it may be returned to:  
City of Austin - Development Services Department / 4th Fl  
Don Perryman  
P. O. Box 1088  
Austin, TX 78767-8810

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Case Number: C8-2016-0148.0A

Contact: Don Perryman, 512-974-2786 or Elsa Garza, 512-974-2308  
Public Hearing: Feb 14, 2017, Planning Commission

Landon Sims

Your Name (please print)

☐ I am in favor  
☒ I object

Your address(es) affected by this application

5010 W Park Dr

Signature

Date

Daytime Telephone: 512-323-7148

Comments:

Allowing this would detract from  
our neighborhood and set a bad  
precedent.

If you use this form to comment, it may be returned to:

City of Austin – Development Services Department / 4<sup>th</sup> Fl

Don Perryman

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C8-2016-0148.0A

Contact: Don Perryman, 512-974-2786 or Elsa Garza, 512-974-2308  
Public Hearing: Feb 14, 2017, Planning Commission

MITCHELL SUTHERLIN

Your Name (please print)

☐ I am in favor  
☒ I object

5013 WEST PARK, AUSTIN, TX 78731

Your address(es) affected by this application

*[Signature]*

Signature

Date

Daytime Telephone: (512) 453-5693

Comments:

If you use this form to comment, it may be returned to:

City of Austin – Development Services Department / 4<sup>th</sup> Fl  
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Austin, TX 78767-8810

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Contact: Don Perryman, 512-974-2786 or Elsa Garza, 512-974-2308  
Public Hearing: Feb 14, 2017, Planning Commission

ROBERT TILLYS

Your Name (please print)

5014 WESTHEED DR

Your address (or affected by this application)

RTT

Signature

Date

Daytime Telephone: 512 844 5926

1-21-17

Comments: THIS IS RIDICULOUS AND

I WILL NOT BE IN FAVOR OF  
SUCH A RESUB OF THESE  
LOTS AND START A PRESIDENT  
IN THE COUNTRY. ALSO  
VIOLATES REED RESTORATION  
EVEN THO COA NOT RESUBS  
FOR. VOTE NO!

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Case Number: C8-2016-0148.0A

Contact: Don Perryman, 512-974-2786 or Elsa Garza, 512-974-2308  
Public Hearing: Feb 14, 2017, Planning Commission

Your Name (please print) Janet Neach F1K15 Janet Neach

☐ I am in favor  
☒ I object

Your address(es) affected by this application 5014 W. Frances Pl.

Signature Date 1-24-17

Daytime Telephone: 512-476-5003

Comments: I spoke with Mr. Silva about this project. Adding a 2800 sq. ft. house in the back yard will create more constation on Hancock & W. Frances. W. Frances has only 1 double lane due to cars parked on the street and Hancock is a main due to new bike lanes. This type of over crowding doesn't fit in our just the developer. Please don't let developers ruin our neighborhood. If you use this form to comment, it may be returned to:

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I've lived in my house since 1986.

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Item C-206

20 of 21

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Case Number: C8-2016-0148.0A

Contact: Don Perryman, 512-974-2786 or Elsa Garza, 512-974-2308  
Public Hearing: Zoning and Platting Commission, Mar 7, 2017

Your Name (please print)

Chris Davis

☐ I am in favor  
☒ I object

Your address(es) affected by this application

501700. FRANKS PL 78731

Signature



Date

2/9/2017

Daytime Telephone:

Comments:

The recent traffic study shows too high traffic on this street. Now we already need road bumps, not even coating the multiple residences proposed. Oppose!

Also short term rental across street increases transiting transportation

If you use this form to comment, it may be returned to:

City of Austin - Development Services Department / 4<sup>th</sup> Fl  
Don Perryman  
P. O. Box 1088  
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Item C-06

21 of 21

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**Case Number: C8-2016-0148.0A**

**Contact: Don Perryman, 512-974-2786 or Elsa Garza, 512-974-2308**

**Public Hearing: Zoning and Platting Commission, Mar 7, 2017**

VANESSA MILBURN  
Your Name (please print)

☐ I am in favor  
☒ I object

507 W. FRANCES PL 78731  
Your address(es) affected by this application

[Signature] 2/14/2017  
Signature Date

Daytime Telephone: \_\_\_\_\_

Comments: NEUTRAL TRAFFIC STUDY SHOWS

TOO MANY TRIPS FOR RESI-

DENTIAL STREET. ADDING MORE

DENSITY MAKES THIS WORSE.

ALSO ADDED DENSITY WITH NEW

SHORT TERM RENTAL @

5018 W. FRANCES

If you use this form to comment, it may be returned to:

**City of Austin - Development Services Department / 4<sup>th</sup> Fl**

**Don Perryman**

**P. O. Box 1088**

**Austin, TX 78767-8810**